



Posted: JW

CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: WWW.DPR.DELAWARE.GOV

DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	Board of Massage and Bodywork
MEETING DATE AND TIME:	Thursday, March 15, 2012 at 1:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor Cannon Building
MINUTES APPROVED:	April 19, 2012

MEMBERS PRESENT

Gordon Gelley, Public Member
Sharon Harris, Public Member, Secretary
Wayne Dawson, Professional Member
Holly Overmyer, Professional Member, President
Rachel Dunning, Public Member

MEMBERS ABSENT

Sandra Jachimowski, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Kay Warren, Deputy Director
Eileen Heeney, Deputy Attorney General
Jennifer Witte, Administrative Specialist II
Juli LaBadia, Court Reporter

OTHERS PRESENT

Henry Jackson, Jr.
Rosetta DeRosa
Hope Hicks
Roxanne Master

CALL TO ORDER

Ms. Overmyer called the meeting to order at 1:39 p.m.

REVIEW OF MINUTES

The Board reviewed the minutes from the February January 19, 2012 meeting. A motion was made by Mr. Gelley, seconded by Ms. Harris, to approve the minutes as presented. The motion unanimously carried.

UNFINISHED BUSINESS

The agenda was amended to start the unfinished business with the Joint Sunset Committee Progress Report (4.6).

Joint Sunset Committee Progress Report

Ms. Warren advised the Board that the Joint Sunset Committee will be reviewing the proposed Bill on Thursday, March 22, 2012 at 10:00 am in Dover at the JFC Hearing Room at Legislative Hall on the first floor and encouraged the Board members to attend.

Ms. Warren added that, for the Board members that do attend, they should bring the recent copy of the Progress Report and be prepared to answer questions pertaining to the CMT license and what the Bill is proposing.

Proposal to Deny Hearing – Henry Jackson, Jr.

The hearing went on record at 2:00 p.m.

Ms. Heeney introduced that this was a proposal to deny hearing for Henry Jackson, Jr. on the grounds that he was convicted of a crime substantially similar to the practice of Massage as set forth in 24 Del. Code 5313 (a) (2) and Rules and Regulations 10.1.77.

Ms. Heeney entered into evidence as Board Exhibit #1 a packet of documents including: application for a Temporary Massage Technician Certification, criminal report from the Delaware Bureau of Identification, copy of CPR card, transcripts from Harris School of Business, proposal to deny letter and USPS signed green card of receipt, Mr. Harris' request for a hearing, and notice of today's hearing with USPS signed green card of receipt.

Ms. Heeney also entered into evidence as Applicant Exhibit #1 Mr. Harris' letter from the Board of Pardons showing that on March 6, 2012 he went before the Board to request a pardon of convictions.

The Board members were introduced.

Mr. Jackson was sworn in and agreed to proceed without legal counsel.

Mr. Jackson testified that he has been enrolled in Harris School of Business since May 2011 and feels that he does meet the requirements for licensure. In 2000, he was incarcerated and did the probation without any further issues. On March 6, 2012 he went before the Board of pardons and is currently waiting for the Governor to sign off on the pardon of his conviction.

Mr. Jackson added that he coaches flag football in Camden, DE and assists the Caesar Rodney Riders wrestling team. He is also the father of two young boys and one mistake does not make the person he is today.

Mr. Jackson answered questions from the Board.

Hope Hicks, Witness #1 for Mr. Jackson, was sworn in and testified that she is his instructor at Harris School of Business and verified that he currently has completed over 500 hours and averages a 3.93-4.0 grade, he is extremely motivated in the classroom and she is dependant on him.

Ms. Hicks added, in reference to his conviction, that Mr. Jackson disarmed a firearm into the air because he felt his life was in danger. He had two weeks remaining until his Graduation for the

Army when this incident occurred and he wasn't permitted into the Army and he has paid for his mistakes and is asking that the Board see that and grant licensure.

Ms. Hicks answered questions from the Board.

There were no further questions for this witness.

Roseta DeRosa, Witness #2 for Mr. Jackson, was sworn in and testified that she is the Director of Education at Harris School of Business and she cannot say enough in regards to Mr. Jackson as a student. She stated that when he enrolled she did have a conversation with him about his convictions and she attempted to talk him out of massage because she knew the possibility that he would not be able to get a license, but he insisted that this was the professional path he wanted to pursue.

The Board had no questions for this witness.

There were no further witnesses.

There were no closing statements.

The hearing went off record and into deliberations.

The hearing went back on record at 2:27 p.m.

A motion was made by Ms. Dunning, seconded by Ms. Harris, to approve the Temporary Massage Technician Certification application of Henry Jackson, Jr. based on the granting of a waiver. The motion was unanimously carried.

The hearing went off record and adjourned at 2:28 p.m.

Verbatim testimony was taken by a court reporter.

Compliance to Recommendation of the Chief Hearing Officer

After review, a motion was made by Ms. Harris, seconded by Mr. Gelley, to accept the additional documentation and approve the compliance to the Recommendation of the Chief Hearing Officer for Laura Parker. The motion was unanimously carried.

After review, a motion was made by Ms. Harris, seconded by Mr. Gelley, to table the compliance to the Recommendation of the Chief Hearing Officer for Mary Graybeal until additional coursework is completed. The motion was unanimously carried.

After review, a motion was made by Ms. Harris, seconded by Mr. Gelley, to accept the additional documentation and approve the compliance to the Recommendation of the Chief Hearing Officer for Roxanne Master. The motion was unanimously carried.

After review, a motion was made by Ms. Harris, seconded by Ms. Dunning, to accept the additional documentation and approve the compliance of the Recommendation of the Chief Hearing Officer for Hanako Freese. The motion was unanimously carried.

NEW BUSINESS

Ratification of Temporary Massage Technician Certifications

A motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the ratification of the Temporary Massage Technician applications of Nenna Biggers. The motion was unanimously carried.

Ratification of Massage Technician Certifications

A motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the ratification of the Massage Technician Certifications of Rebekah Waryga, Khalil Abdul-Majid, Julie Norris, Lisa Wentling, Ying Cui, Sheldon Samuel, Dawn Kintner, Perpetual Sampson, Brenda Crosley, Colleen Harris, Winvenia Graham, Michelle Reynolds, Cuiling Downs, Angelina Salas, Cristina Miranda, Melissa Swank, Monica Wade-Robinson, Zhiping Zhong, Linda DeHaven, Devon Colosimo, and Thomas Nolan. The motion was unanimously carried.

Ratification of License Massage Therapists Applications

A motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the ratification of the Massage Therapist applications of Margaret Negua-Mulloney, Marque Hales, April Sarver, Michelle hand, and Holly Borst. The motion unanimously carried.

Continuing Education Reviews

After review, a motion was made by, seconded by, to approve the following applications for continuing education:

Tamara J. Blossic, DC

-Full Body Presence: Grounding and Healthy Boundaries, 24 hours, core

AMTA

-12th Annual Mid-Atlantic Conference for Massage Therapists

- Heathy Pregnancy Massage Part I, 8 hours, core
- Healthy Pregnancy Massage Part II: Massage & the Pregnant Pelvis, 8 hours, core
- Pregnancy Massage Part III, 6 hours, core
- Advanced S.E.E.M (Stretching, Exercise, Education and Massage Techniques), 7 hours, core
- Everyday Ethics for Massage Therapists, Practitioners and Bodyworkers, 3 hours, core
- Communicable Diseases and Implications for the Practice of Massage, 3 hours, core
- Side-Lying Position Technique, 6 hours, core
- Self Healing Through Massage, Movement & Vision Improvement, 8 hours, core
- Seeing Better Through Natural Vision Improvement and Massage, 4 hours, core
- Improve Vision Through Body Movement and Loosening of the Neck and Back, 4 hours, core
- Overcoming Back Problems and Arthritis Through Massage, Movement and Sensory Integration, 4 hours, core
- Preventing and Overcoming Paralysis with Massage and Movement, 4 hours, core
- Freeing the Voice, 8 hours, core
- Trager Tools for Massage Therapists: Part 1, 4 hours, core
- Trager Tools for Massage Therapists: Part 2, 4 hours, core
- Orthopedic Massage/Elite Sports Therapy: Orthopedical Massage for Complicated Shoulder Conditions & Multiple Crush Phenomenon, 12 hours, core
- Orthopedic Massage for Complicated Lower Extremity Conditions with Emphasis on Ascending Syndrome, 6 hours, core
- Elite Sports Therapy Class: Event Sports Massage, Clinical Sports Massage & Performance Enhancement Therapists, 6 hours, core

- Introduction to Zero Balancing: Part 1, 4 hours, elective
- Introduction to Zero Balancing: Part 2, 4 hours, elective

The motion was unanimously carried.

A motion was made by Mr. Gelley, seconded by Ms. Harris, to deny the continuing education course from Wilmington University School of Nursing for Chronic and Palliative Care for Nurses for not being directly related to the practice of massage. The motion was unanimously carried.

Complaint Status

20-09-10-Assigned to Hearing Officer
20-13-10-Assigned
20-14-10-Assigned
20-15-10-Assigned
20-16-10-Assigned
20-02-11-Assigned
20-03-11-Forwarded to AG's Office
20-04-11-Assigned to Hearing Officer
20-05-11-Assigned to Hearing Officer
20-08-11-Forwarded to AG's Office

Elections

A motion was made by Ms. Harris, seconded by Mr. Gelley, to re-elect Holly Overmyer as Board President. The motion was unanimously carried.

A motion was made by Mr. Dawson, seconded by Mr. Gelley, to elect Sandra Jachimowski as Board Vice-President and re-elect Sharon Harris as Board Secretary. The motion was unanimously carried.

Applications for Review

After review, a motion was made by Mr. Gelley, seconded by Ms. Harris, to table the Temporary Massage Technician Certification application of Lili Zhang and the Massage Therapist application of Jian Ming Gu for clarification of the discrepancy of personal photos provided with the application. The motion was unanimously carried.

Review of Applications-Eileen Heeney

After review, a motion was made by Ms. Harris, seconded by Ms. Dunning, to approve the Massage Therapist upgrade application of Tara Colazo. The motion was unanimously carried.

CORRESPONDENCE

The Board received correspondence from the Federation of State Massage Therapy Boards (FSMTB) announcing their proposal for a New Continued Competence Model.

OTHER BUSINESS

Mr. Gelley stated that he was pleased to hear during the hearing that there was a school that was asking students at the level of enrollment if they had any criminal convictions and advising those students that do of the possibility of not acquiring State licensure.

PUBLIC COMMENT

There was no public comment.

NEXT SCHEDULED MEETING

The next meeting is scheduled for April 19, 2012 at 1:30 p.m.

ADJOURNMENT

There being no further business, a motion was made by Mr. Gelley, seconded by Ms. Dunning, to adjourn the meeting. The motion was unanimously carried. The meeting was adjourned at 3:23 p.m.

Respectfully submitted,

Jennifer Witte
Administrative Specialist II